



478.1078

*Handwritten signature/initials***UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: Matthew Neil SARKAR, et al.

Serial No.: 10/571,512

Filed: March 10, 2006

For: **BREATH ACTUATED VALVE**

MAIL STOP: MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

May 30, 2006

**RESPONSE TO ANTICIPATED NOTICE TO FILE MISSING PARTS**

Sir:

In Anticipation of a Notice to File Missing Parts, please find an executed Declaration and Power of Attorney form signed by the inventors, and a check in the amount of \$130.00 covering the surcharge.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

06/06/2006 CWSUYEN2 00000026 10571512

01 FC:1051

130.00 DP

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By

*Cary S. Kappel*  
Cary S. Kappel  
Reg. No. 36,561

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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on May 30, 2006

DAVIDSON, DAVIDSON &amp; KAPPEL, LLC

BY:

*Jenni Bay*

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Box: Missing Parts



In re application of: Matthew Neil SARKIS, et al.  
Serial No.: 10/571,512  
Filed: March 10, 2006  
For: **BREATH ACTUATED VALVE**

Sir:

Transmitted herewith is an **Response to Anticipated Notice to File Missing Parts** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
FOR:	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=	x0\$	\$		x \$	\$	
INDEP. CLAIMS	* Minus***	=	x0\$	\$		x \$	\$	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				\$		+ \$	\$	

TOTAL: \$ OR TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☒ Other: - **Copy of Notice to File Missing Parts; and**  
                   - **Executed Declaration and Power of Attorney**
- ☒ Check(s) in the amount of **\$130.00** is attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☒ Other: - **Surcharge.**
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, Alexandria, VA 22313-1450" on May 30, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: Jennifer Barry